

## **REMARKS**

Consideration of the captioned application in view of the foregoing amendments and following remarks is requested.

### **Pending Claims:**

Claim 1 has been amended by replacing the plural "pharmaceutical acceptable salts thereof" into the singular "a pharmaceutically acceptable salt thereof. Claim 8 has also been amended by replacing the plural "pharmaceutical acceptable salts thereof" into the singular "a pharmaceutically acceptable salt thereof.

New claims 37 to 40 have been entered. The support for these new claims is found throughout the specification and moreover the suggestions of the Examiner are followed.

### **Claim rejections – 35 USC § 112 second paragraph:**

Amendments to Claim 1 and Claim 8 have been done along the lines suggested by the Examiner.

### **Claim rejections - 35 USC § 112, first paragraph:**

Claims 8 – 35 are rejected under 35 USC § 112, first paragraph. The Applicant respectfully disagrees with said rejection.

First of all, the Applicant acknowledges the fact that the Examiner has now found the present specification to be supportive of human melanoma and rheumatoid arthritis. Consequently, as far as those indications are concerned the Applicant understands that the Examiner is of the opinion that there is an enabling disclosure.

Applicants maintain their arguments put forward in the previous reply and submit the following arguments.

The Examiner alleges "the instant claims, as recited, are reach through claims." Applicants want to submit that in their understanding this is not the case. Reach through claims are claims wherein someone who invents, for example, a new protein tries to obtain claims ("reaches through")

to compounds that would interact with the new protein. Clearly this is not the case here. Applicants respectfully submit that the present invention concerns novel and inventive compounds and methods of using said novel and inventive compounds. Claims 8 to 36 are clearly limited to the use of the compounds of Formula (I). Applicants submit that these are not open-ended claims, but limited to methods using these compounds.

Moreover, by ample *in vitro* and *in vivo* data, Applicants have shown that the present compounds are useful in inhibiting the mentioned kinases. Applicants submit that it is a logical inference from that information to claim methods of treatment for disorders that are linked to these kinases.

Applicants also want to refer to Example 4 of the present application. The experiment described in that Example actually tests the activity of the present compounds on human tumor cells (i.e. A375 melanoma cells) that are implanted in mice. Applicants contend that the next step in investigating the activity of the present compounds would be to perform actual clinical trials and that would place a big burden on the Applicant.

**Conclusion:**

For all of the reasons above, claims 1-5 and 7-40 are believed to be in condition for allowance, early notice of which is respectfully requested.

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any additional fees or deficiencies due or credit any overpayment to Deposit Account # 10-0750/PRD0019/FDC.

Respectfully submitted,

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